

6:30 P.M. Information Meeting with Mayor Mazzarella

RE: Wilder Lane (C-134)

7:40 P.M. Interview with New Police Appointees

CITY OF LEOMINSTER

CITY COUNCIL

JUNE 23, 2008

HEARING BEFORE THE CITY COUNCIL, 7:00 P.M.

Relative to the appropriation of \$19,260,000.00 for the purpose of financing the construction of the new water treatment plant at the Distributing Reservoir and system upgrades including without limitation all costs thereof as defined in Section 1 of Chapter 29C of the General Laws; that to meet this appropriation the Treasurer with the approval of the Mayor is authorized to borrow \$19,260,000.00 and issue bonds or notes therefore under Chapter 44 of the General Laws and/or Chapter 29C of the General Laws; that such bonds or notes shall be general obligations of the City unless the Treasurer with the approval of the Mayor determines that they should be issued as limited obligations and may be secured by local system revenues as defined in Section 1 of Chapter 29C of the General Laws; that the Treasurer with the approval of the Mayor is authorized to borrow all or a portion of such amount from the Massachusetts Water Pollution Abatement Trust established pursuant to Chapter 29C of the General Laws; and in connection therewith to enter into a loan agreement and/or a security agreement with the Trust and otherwise to contract with the Trust and the Department of Environmental Protection with respect to such loan and for any federal or state aid available for the project or for the financing thereof; that the Mayor is authorized to enter into a project regulatory agreement with the Department of Environmental Protection to expend all funds available for the project and to take any other action necessary to carry out the project. (Finance)

HEARING BEFORE THE CITY COUNCIL, 7:15 P.M.

- C-144 Relative to the appropriation of \$99,200,000.00 to the General Fund Fiscal Year 2009 Budget; same to be raised by Fiscal Year 2009 Revenue. (Finance)
- C-145 Relative to the appropriation of \$3,095,000.00 to the Sewer Department Fiscal Year 2009 Budget; same to be raised by Sewer Department Fiscal Year 2009 Estimated Receipts as authorized by Chapter 44, Section 53E of the Massachusetts General Laws. (Finance)
- C-146 Relative to the appropriation of \$4,000,000.00 to the Water Department Fiscal Year 2009 Budget; same to be raised by Fiscal Year 2009 Water Department Estimated Receipts as authorized by Chapter 44, Section 53E of the Massachusetts General Laws. (Finance)

PUBLIC FORUM, 7:45 P.M.

REGULAR MEETING OF THE CITY COUNCIL, 8:00 P.M.

ROLL CALL

APPROVAL OF RECORDS

COMMUNICATIONS

- C-164 EMERGENCY PREAMBLE
Relative to the appropriation of \$26,500.00 to the Contributory Retirement Expense Account; \$22,000.00 to be transferred from the Police Salary and Wages Account and \$4,500.00 to be transferred from the Fire Department Salary and Wages Account. (Finance)
- C-165 EMERGENCY PREAMBLE
Relative to the appropriation of \$50,000.00 to the Assessor's Office Expense Account; same to be transferred from the Excess and Deficiency Account. (Finance)
- C-166 EMERGENCY PREAMBLE
Relative to the appropriation of \$10,000.00 to the Council on Aging Salary and Wages Account; same to be transferred from the Collective Bargaining Expense Account. (Finance)

PETITIONS

- 102-08 David R. Mullaney, 511 Lancaster Street LLC: Grant a Special Permit for a Mixed Use Development Project to allow 15% Commercial use at 463 – 477 Lancaster Street located in an Industrial zone and shown on Assessor's Map 443, as Lots 2,3 and 4. (Legal Affairs)
- 103-08 Gail M. Allen, Chairman of the Board of Trustees and Patrick L. Muldoon, President and Chief Executive Officer, Health Alliance: Modify the Health Care Overlay District, Article XIII as shown on a plan entitled "Modification to the Health Care Overlay District, Article XIII" (Legal Affairs)
- 104-08 George Rodriquez, Spanish American Center, Summer Youth Program: Requests the partial closing of First Street from the corner of First Street and Spruce Street to the main entrance of the Land Mark Storage Building on Saturday, September 6, 2008 from 9:00 A.M. to 4:30 P.M. for a block party. (Public Safety)

PETITIONS, continued

- 105-08 Dennis Rosa: Create a Solar Power Commission or Committee to study the feasibility of creating a 500 Kilowatt Solar Power Park at the old landfill on Mechanic Street. (City Property)

APPOINTMENTS

Emergency Management Department - Admin. Unit - Jean B. Hudson

Council on Aging – Dennis Bouchard – Term to expire April 15, 2010

MATTERS BEFORE THE CITY COUNCIL

CITY OF LEOMINSTER-FINANCIAL REPORT

FINANCE

- C-144 Relative to the appropriation of \$99,200,000.00 to the General Fund Fiscal Year 2009 Budget; same to be raised by Fiscal Year 2009 Revenue.
- C-145 Relative to the appropriation of \$3,095,000.00 to the Sewer Department Fiscal Year 2009 Budget; same to be raised by Sewer Department Fiscal Year 2009 Estimated Receipts as authorized by Chapter 44, Section 53E of the Massachusetts General Laws.
- C-146 Relative to the appropriation of \$4,000,000.00 to the Water Department Fiscal Year 2009 Budget; same to be raised by Fiscal Year 2009 Water Department Estimated Receipts as authorized by Chapter 44, Section 53E of the Massachusetts General Laws.
- C-157 Relative to the appropriation of \$30,000.00 to the Fire Department Overtime Account; same to be transferred from the Fire Department Salary and Wages Account.
- C-158 Relative to the appropriation of \$225,000.00 to the Municipal Buildings Capital Outlay Expense Account; same to be transferred from the Excess and Deficiency Account.
- C-159 Relative to the appropriation of \$2,500.00 to the Emergency Management Agency Expense Account; same to be transferred from the Excess and Deficiency Account.

MATTERS BEFORE THE CITY COUNCIL, continued

FINANCE, continued

- C-160 Relative to the appropriation of \$1,000.00 to the Snow and Ice Overtime Account; same to be transferred from the Excess and Deficiency Account.
- C-161 Relative to the appropriation of \$33,555.00 to the Cemetery Salary and Wages Account; same to be transferred from the Cemetery Perpetual Care Income Account.
- C-162 Relative to the appropriation of \$400.00 to the License Commission Expense Account; same to be transferred from the Excess and Deficiency Account.
- C-163 Relative to the appropriation of \$65,000.00 to the Recreation Department Capital Outlay Expense Account; same to be transferred from the Excess and Deficiency Account.

LEGAL AFFAIRS

- C-153 Dean J. Mazzearella, Mayor: Amend Chapter 21, Article II of the Revised Ordinances entitled "Water Department" by adding Section 21-13.2 "Water Line and Sewer Main Line Protection Plans" which establishes standards and minimum requirements for persons or businesses that seek to offer water line and/or sewer main line protection plans to homeowners.
- 95-08 David Rowlands, Virginia A. Tocci, John M. Dombrowski, James Lanciani Jr., Robert A. Salvatelli, Richard M. Marchand and Wayne Nickel: Amend the Leominster Zoning Ordinance, Chapter 22 - Section 22-24, by removing "Mixed Use Development Projects" and inserting in its place a new Section 22-24 creating "Industrial Mixed Use Overlay Districts" (Small and Large) and modify the Table of Uses Section 22-26 to reflect said changes. (A hearing is scheduled for July 14, 2008 at 7:15 P.M.)
- 98-08 Stephen Boucher for Gateway Business Center LLC: Grant a Special Permit for a Mixed Use Development Project at 435 Lancaster Street consisting of 5.95 acres in an Industrial zone and shown on Assessor's Map 443 as Lot 1. (A hearing is scheduled for July 28, 2008 at 7:00 P.M.)

PUBLIC SAFETY

- 99-08 Richard Marchand: Place a street light on Pole #59 in the vicinity of 600 Merriam Avenue.

MATTERS BEFORE THE CITY COUNCIL, continued

PUBLIC SAFETY

- 100-08 Claire M. Freda: Request the police determine the safety and traffic volume for the possible closure of the bridge on Old Mill Road.

CITY PROPERTY

- 101-08 Patrick and Sandy Bunting: Request permission to place a hot dog trailer on Main Street in front of Banknorth on weekends.

APPOINTMENTS

Election of Officers - 2008-2009

Leominster Police Department: Carlos Cintron, Christopher Cordio, Thomas Wade

OLD BUSINESS

2nd Reading Loan Order - that the sum of \$19,260,000.00 be appropriated for the purpose of financing the construction of the new water treatment plant at the Distributing Reservoir and system upgrades including without limitation all costs thereof as defined in Section 1 of Chapter 29C of the General Laws; that to meet this appropriation the Treasurer with the approval of the Mayor is authorized to borrow \$19,260,000.00 and issue bonds or notes therefore under Chapter 44 of the General Laws and/or Chapter 29C of the General Laws; that such bonds or notes shall be general obligations of the City unless the Treasurer with the approval of the Mayor determines that they should be issued as limited obligations and may be secured by local system revenues as defined in Section 1 of Chapter 29C of the General Laws; that the Treasurer with the approval of the Mayor is authorized to borrow all or a portion of such amount from the Massachusetts Water Pollution Abatement Trust established pursuant to Chapter 29C of the General Laws; and in connection therewith to enter into a loan agreement and/or a security agreement with the Trust and otherwise to contract with the Trust and the Department of Environmental Protection with respect to such loan and for any federal or state aid available for the project or for the financing thereof; that the Mayor is authorized to enter into a project regulatory agreement with the Department of Environmental Protection to expend all funds available for the project and to take any other action necessary to carry out the project.

President's Drinking Water Oversight Committee

NEW BUSINESS

Amend Chapter 21, Section 21-11.1 entitled "Water User Rate Schedule" to reflect an increase in water rates to \$2.35 per unit in city and \$3.15 per unit out of city effective July 1, 2008; \$2.60 per unit in city and \$3.48 per unit out of city effective July 1, 2009 and \$2.95 per unit in city and \$3.95 per unit out of city effective July 1, 2010. (Legal Affairs Petition 85-08)

1st Reading Ordinance-Amend Chapter 8, Article III, Section 8-19(a) Fees for Ambulance Service" to reflect a change in the ambulance rates for Basic Life Support (BLS) and Advance Life Support (ALS) from the Medicare allowable amount to the Medicare allowable amount times 40% for BLS and times 45% for ALS. (Legal Affairs Petition #96-08)

1st Reading Ordinance-Amend Chapter 13, Article III, Section 13-34 entitled "No Parking on Certain Street" prohibiting parking from the corner of the ninety-degree bend bordering Carter Park, east side of Summer Street for a distance of approximately one hundred and eighty seven feet heading towards Water Street and from the corner of the ninety-degree bend bordering Carter Park, north side of Summer Street, for a distance of approximately forty-five feet heading west towards Main Street. (Legal Affairs Petition #97-08)

TABLED PETITION UPON WHICH ACTION IS PROPOSED

LEGAL AFFAIRS

84-08 Roger Brooks: Amend Chapter 21, Section 21-22.3 entitled "Sewer User Rate Schedule" to increase the in city rate from \$1.70 per unit to \$1.95 per unit and the out of city rate from \$4.00 per unit to \$4.25 per unit effective July 1, 2008.

Lynn A. Bouchard
City Clerk
June 19, 2008